IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

COMMUNITY ASSOCIATION

٧.

UNDERWRITERS OF AMERICA, INC.

a/s/o PARK VIEW AT WAVERLY, A

CONDOMINIUM,

Plaintiff

: NO. 1:09-CV-257

ELECTRONICALLY FILED

: Honorable Sylvia H. Rambo

RHODES DEVELOPMENT GROUP, INC.:

a/k/a RHODES DEVELOPMENT CORP.

a/k/a R&L CONSTRUCTION COMPANY,:

ADAMS DRYWALL, PEDRO YAHUITL:

QUINTERO and ALAN BARB,

Defendants

BRIEF OF DEFENDANT ADAMS DRYWALL IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT BASED UPON SPOLIATION OF EVIDENCE

Defendant Adams Drywall adopts verbatim and incorporates herein by reference the arguments set forth in the Brief of Defendant Pedro Quintero in Support of his Motion for Summary Judgment on the issue of spoliation of evidence as filed on November 12, 2010.

THOMAS, THOMAS & HAFER, LLP

/s/ C. Kent Price

C. Kent Price, Esquire

Attorneys for Defendant Adams Drywall

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing document to be served by the U.S.D.C., Middle District of Pennsylvania, by electronic mail, on the following counsel of record:

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Dated: November 15, 2010 /s/ C. Kent Price

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